Judge Marc L. Barreca
Hearing Location: Room 7106
700 Stewart St., Seattle, WA 98101
Hearing date: September 27th, 2013
Hearing time: 9:30 a.m.
Response Due: September 20th, 2013

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In Re: ADAM R. GROSSMAN, Debtor	))))))))	CHAPTER 7 CASE NO. 10-19817 RESPONSE OF CREDITOR PETER ZIEVE TO TRUSTEE'S OBJECTION TO CLAIM 14-1 AND ATTACHED DECLARATION OF PETER ZIEVE

Comes now creditor Peter Zieve, by and through his attorney Daniel Ehrlich of the Law Offices of Daniel Ehrlich, PLLC, and responds to the Trustee's motion to dismiss his claim and proposed order as follows:

RESPONSE

Mr. Zieve maintains that the $120,000 which he gave to Mr. Grossman in the form of a check to Terrington Davies Tanager fund for the benefit of Adam Grossman was backed up by a personal assurance of Adam Grossman for the return of the funds. There was a history of business dealings between Peter Zieve and Adam Grossman, and a great deal of trust between the Adam Grossman and Peter Zieve There was an understanding between Mr. Grossman and Mr. Zieve that Mr. Grossman was obligated in his personal capacity. *Declaration of Peter Zieve and attached Exhibit.* The check states that it was a 90 day loan and "fbo Adam Grossman". Exhibit 1 to Declaration of Peter Zieve. The relationship, check specifications, and circumstance of the loan are evidence as to the personal guaranty of Mr. Grossman on the loan from Peter Zieve, as opposed to merely a business investment in the Terrington Davies Tanager fund. *Id.*

CONCLUSION

Therefore, Creditor Peter Zieve moves the Court to deny the Trustee's objection to claim 14-1.

Dated this 20th day of September, 2013.

__/s/ Daniel Ehrlich_______
DANIEL BENN EHRLICH
W.S.B.A. #41802
Attorney for Creditor Peter Zieve

Law Offices of Daniel Ehrlich, PLLC
1610 Broadway, Everett, WA 98201
Phone: (425) 954-5578 Fax: (425) 953-4093

PROOF OF SERVICE

I hereby declare under penalty of perjury under the laws of the United States that on the date indicated below, I served a copy of the foregoing document in the manner specified:

Via ECF

Bruce Kriegman
KRIEGMAN LAW OFFICE, PLLC
600 University Street, Suite 2100 Seattle, WA 98101
(206) 903-0344
Attorney for Trustee Ronald G Brown

Dated this 20th day of September, 2013.

__/s/ Daniel Ehrlich______
DANIEL BENN EHRLICH
W.S.B.A. #41802
Attorney for Creditor Peter Zieve

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UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In Re: ADAM R. GROSSMAN, Debtor	CHAPTER 7 CASE NO. 10-19817 DECLARATION OF CREDITOR PETER ZIEVE IN SUPPORT OF RESPONSE TO TRUSTEE'S OBJECTION TO CLAIM 14-1

Under penalty of perjury of the laws of the United States of America, creditor Peter Zieve makes the following declaration, this 20th day of September, 2013:

On May 19, 2010, I loaned Adam Grossman $120,000 in the form of a check to Terrington Davies Tanager Fund. The check was made for the benefit of Adam Grossman, and says "FBO Adam Grossman". Adam and I had been business associates for many years, there was a great deal of trust between Mr. Grossman and I. There was an understanding between us that the loan was backed up by a personal obligation. Adam told me it was the best deal he had ever seen on the house and needed the money very quickly. He told me that he couldn't wait for the check to clear the bank, and he deposited in an account, and took money out before it cleared. Adam told me he would turn the house around in a short amount of time, and it says "90 day loan" on the check because expected it back within that period of time. It was intended as very short term loan with a personal obligation. Attached as Exhibit # 1 is a true and correct copy of the check I drafted.

Peter Zieve

Law Offices of Daniel Ehrlich, PLLC
1610 Broadway, Everett, WA 98201
Phone: (425) 954-5578 Fax: (425) 953-4093

EXHIBIT 1: CHECK FROM PETER ZIEVE DATED 5/19/2010

PETER B ZIEVE
4413 CHENNAULT BEACH RD
MUKILTEO, WA 98275

2846
98-7114/3251

5/19/2010
Date

Pay to the Order of Terrington Davies Tanager Fund $ 120,000.—

One hundred and twenty thousand — Dollars

Security Features Details on Back

Cascade Bank
11700 Mukilteo Speedway
Suite 302
Mukilteo, WA 98275

90 day loan

For FBO Adam Grossman

Peter Zieve

MP

⑆325171148⑆ 51000 16231⑈ 02846

Harla ~ Clarke